



Antony L. Ryan
aryan@cravath.com
T+1-212-474-1296
New York

September 5, 2024

Elisa W. v. City of New York, et al., No. 15-CV-5273 (KMW) (SLC)

Dear Judge Cave,

I write on behalf of Plaintiffs, in response to the City's September 4, 2024 letter, in which counsel for the City requests an extension of time to move for reconsideration of the Court's August 23, 2024 Opinion & Order granting class certification (the "Order"). Plaintiffs consent to a 14-day extension of the time for the City to move for reconsideration.

Plaintiffs oppose the City's request for a 31-day extension, however, as that would cause undue delay. This case has been pending for nine years, and Plaintiffs filed their motion for class certification (Dkt. No. 439) five years ago. The City requests an extension that would give it more than three times as long as the ordinary time for a motion for reconsideration, Local Civil Rule 6.3, but does not identify a legal basis for a motion for reconsideration. Plaintiffs submit that it is time for merits discovery in this case to proceed.

Plaintiffs are particularly concerned about the potential for delay because the Court ordered the parties to submit a joint letter setting forth in detail the current status of the litigation by September 23 (Dkt. No. 577, at 18). When Plaintiffs reached out to Defendants on September 3 asking to meet and confer about a schedule for the case going forward, the City responded the following day that "any sort of discovery schedule would be premature while City Defendants' motion for reconsideration remains pending". Plaintiffs are therefore concerned about the delay that will result from the City's apparent position that it will not meet and confer with Plaintiffs about a discovery schedule until such time as the Court denies the City's motion for reconsideration.

NEW YORK

Two Manhattan West
375 Ninth Avenue
New York, NY 10001
T+1-212-474-1000
F+1-212-474-3700

LONDON

CityPoint
One Ropemaker Street
London EC2Y 9HR
T+44-20-7453-1000
F+44-20-7860-1150

WASHINGTON, D.C.

1601 K Street NW
Washington, D.C. 20006-1682
T+1-202-869-7700
F+1-202-869-7600

CRAVATH, SWAINE & MOORE LLP

Respectfully,

/s/ Antony L. Ryan
Antony L. Ryan

The Honorable Sarah L. Cave
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

BY ECF

Copies to:

David Thayer, Esq.
Assistant Corporation Counsel
New York City Law Department
100 Church Street
New York, NY 10007

Patrick Baker, Esq.
Assistant Attorney General
New York State Office of the Attorney General
28 Liberty Street
New York, NY 10005